

Application No. 10/756,979

REMARKS/ARGUMENTS

Claims 9-13 have been canceled as a result of the Examiner's Restriction Requirement. Applicant preserves his right to pursue a Divisional/Continuation application for the subject matter of these claims.

Claims 1-5 and 8 were rejected under section 103 as been unpatentable over Dupuis in view of Scholes. Applicant hereby incorporates by reference the same arguments set forth in the Amendment and Response filed by a certificate of mailing on October 28, 2005 and received by the U.S. Patent Office on November 1, 2005 with respect to Applicant's arguments distinguishing over the Dupuis reference.

In Claims 1, 7, and 8 have been amended to further distinguish over the reference of record. Claim 1 has been amended to further recite that the channels are defined by a pair of exterior frame elements and an intermediate frame element position between the pair of exterior frame elements, and said intermediate frame elements separating said pair of channels. Claim 1 has also been amended to further recite that one pulley of said pair of pulleys are mounted in one channel of said pair of channels, and the other pulley of said pair of pulleys being mounted in the other channel of said pair of channels, said pulleys being laterally offset from and separated from lateral edges of the sashes. The Description and Figures have been amended to particularly point out the claimed exterior frame elements, intermediate frame elements, and lateral edges of the sashes. Specifically, reference number 77 corresponds to the claimed exterior frame elements, reference number 78 corresponds to the claimed intermediate frame element, and reference number 80 corresponds to the claimed lateral edges of the sashes. Figures 3, 4, and 5 clearly

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show these elements.

In addition to the deficiencies in the Dupuis reference as previously explained in the arguments of the prior Amendment and Response incorporated herein, Dupuis is completely deficient in disclosing the structure of the claimed vertical frame members, including the exterior frame elements, intermediate frame element, and the pulleys being laterally offset from and separated from lateral edges of the sashes. At best, Dupuis simply illustrates in Figure 1 and 2 thereof the pulley arrangement, but no additional details. With respect to the Scholes reference, it discloses a common arrangement for a window frame, but fails to disclose the special relationship now claimed in Claim 1 with respect to the exterior frame elements, intermediate frame element, and the pulleys being mounted such that the pulleys are laterally offset and separated from lateral edges of the sashes.

With respect to Claim 7, it has been amended to further recite that the channels are defined by a pair of exterior frame elements and an intermediate frame elements positioned between the pair of exterior frame elements, the intermediate frame element separating the pair of channels. Claim 7 is been further amended to recite that the cable is engaged with the means for enabling simultaneous movement, and the means for enabling simultaneous movement being mounted in the channels and being laterally offset from and separated from lateral edges of the sashes. For the same reasons as set forth above in Claim 1, Dupuis and Scholes fail to disclose at least the arrangement of the exterior frame elements, intermediate frame element, and the means for enabling simultaneous movement mounted in channels such that it is offset from and separated from lateral edges of the sashes.

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Claim 8 has been amended to further recite also that the channels of said vertical frame members are defined by a pair of exterior frame elements and an intermediate frame element positioned between the pair of exterior frame elements in each vertical frame. Claim 8 has been further amended to recite that the pulleys are positioned laterally offset from and separated from the lateral edges of the sashes. Thus, for the same reason as set forth above with respect to Claim 1, these distinguishing features are not obvious in view of the teachings of Dupuis and Scholes. Claims 2-5 depend from Claim 1. Therefore, these rejections under §103 should be withdrawn.

Claim 6, 7, and 15-17 were rejected under §103 as being unpatentable over Dupuis in view of Scholes, and further in view of Nagel. Nagel clearly fails to cure the deficiencies in Dupuis and Scholes. As discussed above, Claim 7 clearly distinguishes over the combination of Dupuis and Scholes. Claims 15-17 depend from Claim 7. Applicant also incorporates by reference the same distinguishing arguments regarding the Nagel reference which were presented in the Amendment and Response filed by certificate of mailing on October 28, 2005. Therefore, this rejection under §103 should also be withdrawn.

Concurrently filed herewith is a request for approval of the annotated drawing changes which add reference numbers 77, 78, and 80.

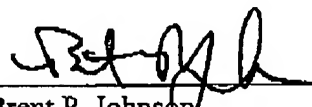
Applicant has made a sincere effort to place the application in a condition for allowance; therefore, such favorable action is earnestly solicited. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

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Respectfully submitted,

SHERIDAN ROSS P.C.

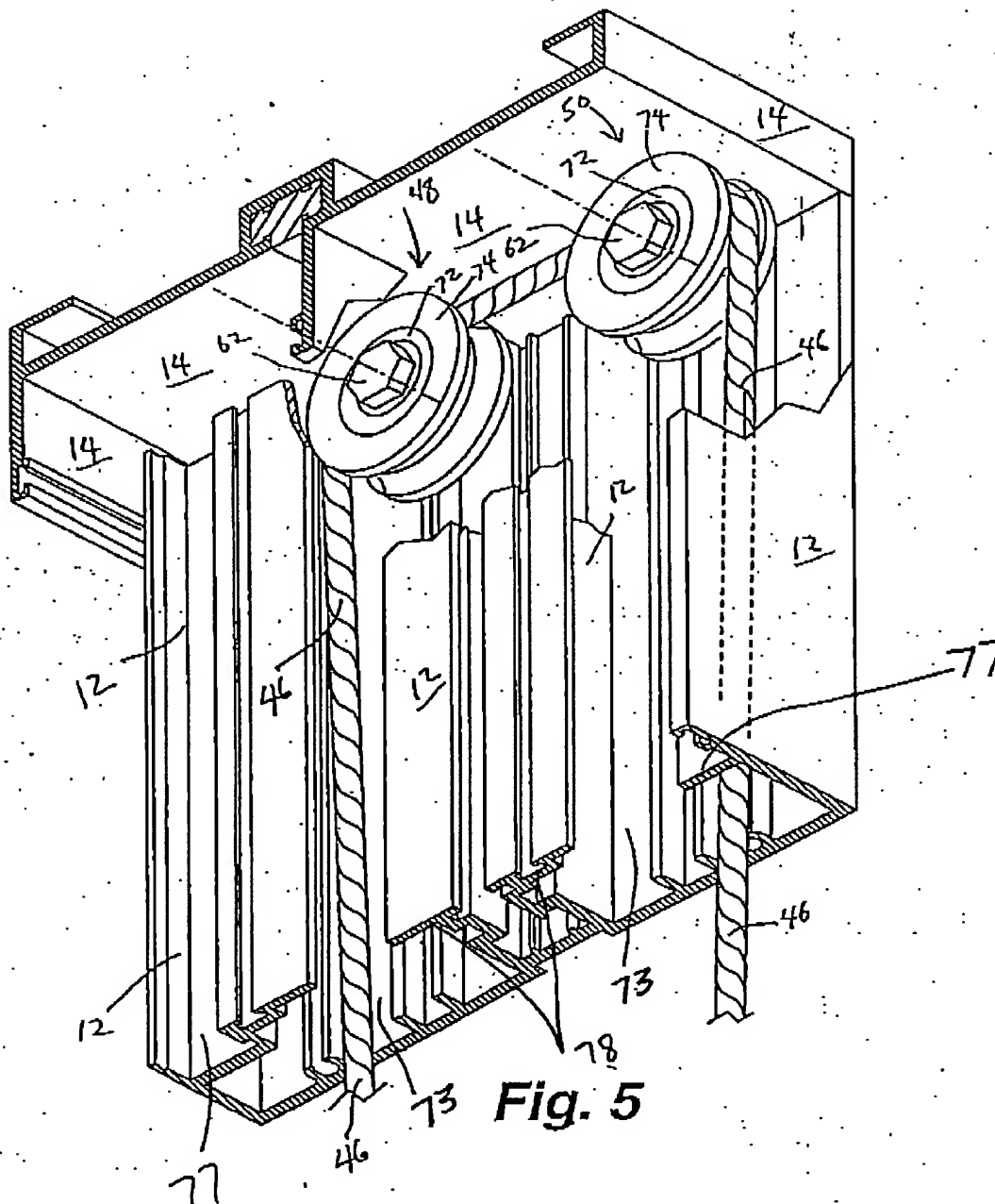
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4/6/06

Appl. No. 10/756,979
Amdt. Dated April 6, 2006
Reply to Office Action of Jan. 06, 2006
Annotated Sheet Showing Changes

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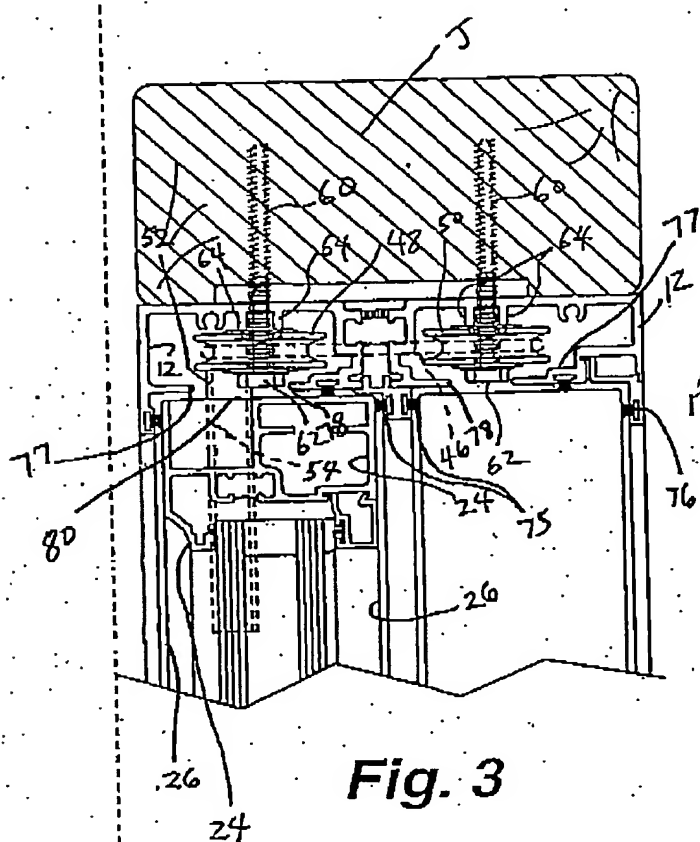


Fig. 3

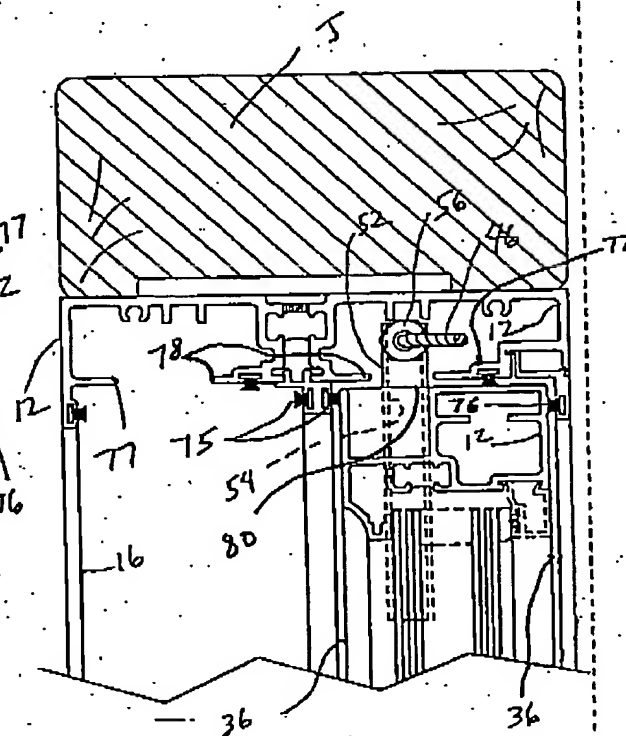


Fig. 4